

Article 10-2L — O (Open Space / Recreation) District

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10-2L-1 Purpose

The O (Open Space / Recreation) District provides for a range of open area spaces and recreational uses such as public/ private parks, campgrounds, public and privately owned facilities such as golf courses and their associated uses, and similar uses which retain open space. The district's standards are based on the following principles:

- A. Ensure efficient use of land and urban services.
- B. Provide areas for parks, recreational, and associated uses.
- C. Compatibility between open space and recreation uses and nearby residential areas.
- D. Protect natural and open space areas to preserve the aesthetics of the City.

10-2L-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the O (Open Space / Recreation) District with the letter "P" are permitted in the O zone, without special action by the Hearing Body, subject to development standards of the O (Open Space / Recreation) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2L-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the O (Open Space / Recreation) District with the letter "L" are allowed in the O zone if they comply with the development standards of the O (Open Space / Recreation) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4),

may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific O Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

- a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
- b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
- c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Mobile sales / concessions

- a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
- b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Public assembly

- a. Requires application for and approval of a Public Assembly Permit from the Building Official.

4. Seasonal & special events

- a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

5. Temporary construction / sales office

- a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Athletic club / exercise facility / gym

- a. Only allowed on privately owned property.

7. Community center / hall / club

- a. Only allowed on privately owned property.

8. Participant & spectator sports facilities

- a. Only allowed on privately owned property.
- b. Gun and archery ranges, racetracks or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.
- c. All lighting shall be directed downward.
- d. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.
- e. A 20 foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.
- f. The maximum building footprint area shall be 15,000 square feet or less.

9. General retail

- a. Only allowed when associated with a permitted and approved golf course or other permitted or conditionally approved community recreation facility.

10. Restaurant, cafe, deli, or ice cream parlor (without drive-thru)

- a. Only allowed when associated with a permitted and approved golf course or other permitted or conditionally approved community recreation facility.

11. Tavern / pub / liquor store

- a. Only allowed when associated with a permitted and approved golf course.

12. Theater (motion picture or performing arts)

- a. Only allowed when associated with a permitted or conditionally approved community recreation facility.
- b. The theater shall not be located within an entirely enclosed structure.

13. Maintenance / public works facility

- a. Only allowed when associated with a permitted and approved golf course.

14. Accessory caretaker's residence

- a. The residence is an accessory use to the primary use and is limited to the duration of need associated with the custodial, maintenance or overseeing of the owner's property, building, and/or use.
- b. Construction of the primary use shall occur previous to or simultaneous with the construction of the residential unit.
- c. The caretaker's residence shall be limited in size to 1,000 square feet and shall be served with public water and sewer.

10-2L-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the O (Open Space / Recreation) District with the letters "CU" are permitted to locate in the O zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific O Conditional Uses.

1. Recreational vehicle park / campground

- a. The maximum net units per acre shall be 15.
- b. The site shall have a minimum frontage of 125 feet on a major collector arterial or higher classification.
- c. Traveled roadways on site shall be private and paved.
- d. Accessory uses including management headquarters, recreational facilities, restrooms, dumping stations, showers, laundry facilities and other uses and structures customarily incidental to operation of a recreational vehicle park are permitted as accessory uses. In addition, stores, restaurants, beauty parlors, barber shops and other convenience establishments shall be permitted as accessory uses, subject to the following restrictions:
 - i. Such establishments and their associated parking shall not occupy more than 5 percent of the gross area of the park.
 - ii. Such establishments shall be restricted in their use to occupants and

- their guests of the park.
- iii. Such establishments shall present no visible evidence from any street outside the park of their commercial character, which would attract customers other than occupants of the park and their guests.
 - iv. The structures housing such facilities shall not be located closer than 100 feet to any public street.
 - e. Recreational vehicle stalls (spaces) shall average 1,500 square feet.
 - f. A minimum of 25 percent of the gross site area for the recreational vehicle park shall be set aside and developed as common use areas for open or enclosed recreation facilities. Recreational vehicle stalls, private roadways, storage, utility sites, and off street parking areas or shall not be counted as meeting this requirement.
 - g. Entrances and exits to the recreational vehicle park shall be designed for safe and convenient movement of traffic.
 - h. Off-street parking, at 1 space per stall, shall be provided.
 - i. The application for a recreational vehicle park shall include a site plan that identifies vehicle stalls (spaces), motor vehicle parking spaces, the interior private road circulation, open and enclosed spaces for recreational opportunities, landscaping plans, and any other major features of the proposal.
 - j. Sight-obscuring fencing, landscaping or berming may be required to assure compatibility with adjacent uses.
 - k. The recreational vehicle park shall meet all Regional Health and City regulations regarding sewage and water.
 - l. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2L-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures may include storage sheds, workshops, green houses, and similar structures. Accessory structures shall comply with all of the following standards and Sections 10-2L-6 for setbacks and 10-2L-7 for maximum lot coverage:

- A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.
- B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
- C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure.
- D. Buffering. A minimum 6 foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

10-2L-6 Development Setbacks

Building setbacks provide building separation for fire protection/security, building maintenance, sunlight, and air circulation, noise buffering, and visual separation.

Building setbacks are measured from perimeter of the structure to the respective property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.

A. Front Yard Setbacks

1. The minimum front yard setback shall be 20 feet.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures).
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in "A" shall apply.

C. Side Yard Setbacks

The minimum side yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures). Additionally, buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Buffering. A 20 foot minimum buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Article 10-3C may require buffering other situations, as well.
2. Neighborhood Access. Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.
3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).
4. Walls and Fences. Walls and fences may be placed on property lines, subject to the standards in Article 10-3C - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least one-half ($\frac{1}{2}$) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2L-7 Lot Area, Dimensions, and Coverage

A. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

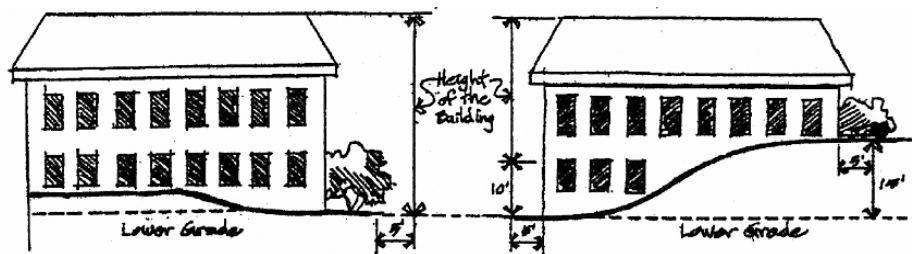
B. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

<i>O Land Use</i>	<i>Lot Area</i>	<i>Lot Width / Depth</i>	<i>Lot Coverage</i>	<i>Residential Density</i>
All Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 25 percent	None

10-2L-8 Building Height

All buildings in the O (Open Space / Recreation) District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the O Zone shall be no more than 35 feet tall. Roof equipment and other similar features which are necessary to the commercial operation shall be screened, and shall not exceed 6 feet in height.



B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2L-9 Building Orientation

A. Purpose. All of the following standards shall apply to new development within the O Zone in order to reinforce streets as public spaces, encourage alternative modes of transportation, such as walking, bicycling, and transit use, and promote the preservation of open space.

B. Applicability. This section applies to all buildings in the O Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the P zone are also required to comply with the standards outlined above in Section 10-2L-3 or 10-2L-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide the majority of the parking in a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2L-6.
2. All buildings shall have their primary entrance(s) oriented to a street. Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. The majority of the off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.
5. Preservation of open space shall be considered when locating buildings.

D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2L-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the O Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the O zone are also required to comply with the standards outlined above in Section 10-2L-3 or 10-2L-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Various building styles and designs can be used to comply, so long as they are consistent with the text of this section.

1. Detailed Design.

All buildings shall provide detailed design along the front building elevation (i.e., facing the street) and other elevations that are regularly viewed by the public, as applicable.

- a. Incorporate architectural features such as windows, pedestrian entrances, screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting), building off-sets, projections, detailing, changes in materials or similar features, or changes in building direction shall be used to break up and articulate large building surfaces and volumes.
- b. Corner building entrances on corner lots. A building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.
- c. Pedestrian-scale building entrances. Recessed entries, canopies, and/or similar features shall be used at the entries to buildings in order to create a pedestrian-scale.
- d. Incorporate natural elements or community themes in the building design.
- e. Every building elevation adjacent to a street with a horizontal dimension of more than 100 feet, as measured from end-wall to end-wall, shall have a building entrance; except that building elevations that are unable to provide an entrance due to the internal function of the building space (e.g., mechanical equipment, areas where the public or employees are not received, etc.) may not be required to meet this standard. Pathways shall connect all entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

D. Materials. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials apply to new construction projects or remodels/ additions to existing projects in the O Zone:

1. Acceptable Roofing Materials

- a. Composition
- b. Composite Flat Roof
- c. Concrete tile
- d. Slate
- e. Cedar Shake
- f. Metal - tile or shake only
- g. Copper Shake
- h. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials

- a. Corrugated Metal

3. Acceptable Siding Materials

- a. Brick
- b. Stucco or Dryvit
- c. Cultured or Natural Stone
- d. Concrete Block - split faced, smooth
- e. Concrete Tilt-Up
- f. Wood
- g. Vinyl - tile or shake only

- h. Metal - tile or shake only
- i. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials

- a. Corrugated Metal
- b. T-111 (may be used when combined with detailing noted below)
- c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing

- a. Brick
- b. Stone
- c. Wood or Timber
- d. Board and Batten
- e. Other materials determined acceptable by the Planning & Community Development Director

10-2L-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the O Zone will require compliance with the following and other applicable portions of this Code:

- 1. Article 10-3B - Access and Circulation
- 2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
- 3. Article 10-3D - Vehicle and Bicycle Parking
- 4. Article 10-3E - Signage Standards
- 5. Article 10-3F - Other Design Standards
- 6. Article 10-3G - Public Facilities Standards
- 7. Article 10-3H - Stormwater Management
- 8. Article 10-3I - Property Maintenance Standards